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SENATE BILL 2970

By Graves

AN ACT to amend Chapter 1 of the Private Acts of 1989, as amended by Chapter 172 of the Private Acts of 1994, and any other acts amendatory thereto, the same being the charter of the city of Springfield.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article IV of Chapter 1 of the Private Acts of 1989, as amended, is amended by deleting Section 4 in its entirety and substituting the following:

Section 4. Salaries. The board of mayor and aldermen may set the annual salary of the mayor and aldermen by ordinance; provided, however, that until those salaries are so set, the salary of the mayor shall be four hundred dollars (\$400.00) per month, and the salary of each alderman shall be two hundred dollars (\$200.00) per month.

SECTION 2. Article IX of Chapter 1 of the Private Acts of 1989, as amended by Chapter 172 of the Private Acts of 1994, is further amended by deleting Section 14 in its entirety and substituting the following:

Competitive bidding and purchasing procedures. The city manager shall be responsible for all city purchasing, but the city manager may delegate this duty to any

subordinate so appointed. Competitive prices for all purchases and public improvements shall be obtained whenever practicable and in accordance with regulations established by ordinance, and the purchases made from or the contract awarded to the lowest and best bidder. The city shall have the power to reject any and all bids. Public advertisement and sealed bids shall be required in all transactions involving the expenditure of ten thousand dollars (\$10,000.00) or more within one fiscal year; provided, that in cases where the board of mayor and aldermen indicates by formal unanimous resolution of those present at the meeting, based upon the written recommendation of the city manager, that it is clearly to the advantage of the city not to contract with competitive bidding, it may authorize noncompetitive contracts. Any exceptions to competitive bidding established by state law shall apply to purchases by the municipality including, but not limited to, those exceptions set forth in Tennessee Code Annotated, Section 6-56-304. Purchasing and contract procedures not prescribed by this charter or other law may be established by ordinance.

SECTION 3. If any section or part of a section of this act shall be finally adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section of this act, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held unconstitutional or invalid.

SECTION 4. This act shall become effective when it has been approved by the board of mayor and aldermen for the city of Springfield by a vote of not less than two-thirds (2/3) of the entire membership of the board within ninety (90) days of becoming a law. The approval or non-approval of the act by the board of mayor and aldermen shall be certified by the mayor of the city of Springfield to the secretary of state.

SECTION 5. For the purposes of approving or rejecting the provisions of this act, as provided in Section 4, it shall be effective upon becoming a law, but for all other purposes the provisions of this act shall take effect upon approval, as provided for in Section 4.